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LEGISLATIVE COUNCIL RESOLUTION 24-01

(May 14, 2024)

A RESOLUTION of the LEGISLATIVE COUNCIL to assign study topics to committees:

Whereas, among the powers granted to the Legislative Council, IC 2-5-1.1 authorizes the Legislative Council to:

- (1) on its own initiative or at the direction of the General Assembly or of the Senate or House of Representatives, study subjects of interest and concern, and based on such study, recommend such legislation as the welfare of the state may require;*
- (2) direct standing committees of the Senate or House of Representatives, or appoint committees and subcommittees subject to the authority of the Council, to carry out studies on subjects of interest and concern;*
- (3) receive appropriations and make allocations for the reasonable and necessary expenditures of the Council and the standing and interim committees of the House of Representatives, Senate, and General Assembly;*
- (4) enter into whatever contracts or other arrangements deemed by it to be necessary or appropriate to exercising its rights, privileges, and powers and performing its duties under IC 2-5-1.1 and IC 2-6-1.5 and to carrying out the intent, purposes, and provisions of IC 2-5-1.1 and IC 2-6-1.5;*
- (5) coordinate and assist the work of standing or interim committees, subcommittees, or commissions appointed by the Council or at the direction of the General Assembly or of the Senate or House of Representatives; and*
- (6) do all other things necessary and proper to perform the functions of the legislative department of government and to carry out the intent, purposes, and provisions of IC 2-5-1.1: Therefore,*

Be it Resolved by the Indiana Legislative Council:

SECTION 1. DEFINITION. For the purposes of this Resolution, "committee" refers to a body that is a committee (as defined in IC 2-5-1.2-4) or is a task force, a commission, a committee or another body (however designated) that has been established by the

Legislative Council or statute and:

- (1) is required by law to be staffed by the Legislative Services Agency or to operate under procedures or policies established by the Legislative Council;
- (2) whose chair by law must be selected by the Chair of the Legislative Council, the Speaker of the House, or the President Pro Tempore of the Senate; or
- (3) has members of the General Assembly serving as at least one-half (1/2) of its voting membership.

The term does not include the Legislative Council, the Bail and Release Review Commission, the Budget Committee, the Commission on Improving the Status of Children in Indiana, the Compliance Advisory Panel, the Youth Advisory Council, or the Indiana Uniform Law Commission.

SECTION 2. LIMITATION ON STUDY TOPICS; APPLICATION. (a) A committee may not study a topic or take testimony on a topic, including topics described by statute, unless the topic is assigned by the Legislative Council or the topic is approved in writing by a majority of the members of the Personnel Subcommittee of the Legislative Council.

(b) A report, by whatever name denominated, that is required by law to be distributed to members of the General Assembly, the Legislative Council, a committee, one (1) or more members of a committee, or another appointed or elected official or agency is not a topic assigned for study by a committee, unless the topic is assigned by the Legislative Council in this Resolution or the report is approved as a topic in writing by a majority of the Personnel Subcommittee of the Legislative Council.

(c) In the event of a conflict between a statute governing a committee and a provision of this Resolution, the statute shall be treated as a non-binding directive and this Resolution prevails. If the statute in question is silent with regard to a provision of this Resolution, this Resolution prevails. If there is a conflict between IC 2-5-1.2 or IC 2-5-1.3 and another statute, IC 2-5-1.2 and IC 2-5-1.3 prevail.

SECTION 3. STATUTORY COMMITTEES NOT ASSIGNED TOPIC. No topics are assigned in this Resolution to any of the following committees established by IC 2-5-1.3-4:

- (1) AGRICULTURE AND NATURAL RESOURCES.**
- (2) COMMERCE AND ECONOMIC DEVELOPMENT.**
- (3) ELECTIONS.**
- (4) EMPLOYMENT AND LABOR.**
- (5) ENVIRONMENTAL AFFAIRS.**
- (6) FINANCIAL INSTITUTIONS AND INSURANCE.**
- (7) PUBLIC POLICY.**
- (8) PUBLIC SAFETY AND MILITARY AFFAIRS.**

SECTION 4. TOPICS ASSIGNED TO COMMITTEES BY LEGISLATIVE COUNCIL. The following committees established by IC 2-5-1.3-4 shall study and make findings and recommendations concerning the following topics assigned to them and submit a final report to the Legislative Council in an electronic format under IC 5-14-6 before November

1, 2024:

(1) CHILD SERVICES.

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

(A) Review reports of state and local child fatality review teams and the Department of Child Services concerning child safety. (Source: IC 2-5-1.3-13)

(2) CORRECTIONS AND CRIMINAL CODE.

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

(A) Multi-year review current trends with respect to criminal behavior, sentencing, incarceration, and treatment. (Source: IC 2-5-1.3-13)

(3) COURTS AND THE JUDICIARY.

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) In 2024 and each even-numbered year thereafter, review, consider, and make recommendations concerning all requests for new courts, new judicial officers, and changes in jurisdiction of existing courts. (Source: IC 2-5-1.3-13)

(B) In 2024 and in each even-numbered year thereafter, review the most recent weighted caseload measurement system report published by the Office of Judicial Administration and do the following:

- (i) Identify each county in which the number of courts or judicial officers exceeds the number used by the county in that report year.
- (ii) Determine the number of previous report years in which the number of courts or judicial officers in a county identified in subdivision (1) exceeded the number used by the county in that particular report year.
- (iii) Make a recommendation on whether the number of courts or judicial officers in the county should be decreased. (Source: IC 2-5-1.3-13)

(C) Feasible additional steps that can be taken to improve timely achievement of permanency outcome for children in foster care and private settings, including an analysis of related costs. (Source: Letter submitted by Johnson, Summers, and others; Letter submitted by McGuire, Brown, and others)

(D) The following topics concerning home owners associations (HOA):

- (i) Reviewing the practice of levying and enforcing fines by HOAs.
- (ii) Reviewing the accounting and fiduciary responsibilities of HOAs.
- (iii) Issues related to funds collected by an HOA if the HOA ceases to

exist.

(iv) Issues related to an HOA entering into maintenance and utility contracts if the HOA ceases to exist.

(v) The average age of HOA bylaws and any recommendations for the drafting of new bylaws every 10 years.

(vi) The mechanisms whereby residents can make formal complaints if HOA common areas and common utilities are not maintained.

(vii) A review of the public notice requirements for board meetings and an adequate review time before any votes are held.

(viii) Requiring HOAs to submit accounting reports to the Department of Local Government Finance (DLGF) and giving DLGF the authority to conduct random audits.

(ix) The use of electronic voting regarding voting matters within the HOA. (Source: Letter submitted by V Smith, Plaff, and others)

(4) EDUCATION.

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Steps that can be taken to improve school attendance and educational outcomes for students, and the impact of absenteeism on school funding distributions. (Source: Letter submitted by Donato, Rogers and others; SB 282 (2024) as passed the Senate)
- (B) Steps needed to enhance school discipline related to creating a safe environment and improving educational success. (Source: Letter submitted by V Smith, Plaff, and others; SB 141 (2024) as introduced)

(5) ENERGY, UTILITIES, AND TELECOMMUNICATIONS.

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

- (A) Review annual reports of the Indiana Utility Regulatory Commission. (Source: IC 8-1-1-14; IC 8-1-2.5-9; IC 8-1-2.6-4; IC 8-1-8.8-14)

(6) FISCAL POLICY.

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING RESPONSIBILITIES:

- (A) In even-numbered years, review tax expenditure report prepared by Legislative Services Agency for preparation and consideration of the state biennial budget. (Source: IC 2-5-3.2-2)
- (B) A multi-year review of tax incentives reports from the Legislative Services Agency. (Source: IC 2-5-3.2-1)
- (C) A multi-year review of workforce related programs. (Source: IC 2-5-42.4-6;

IC 4-3-27-12)

(7) GOVERNMENT.

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:

(A) In 2024 and each even-numbered year, do the following:

- (i) Determine whether a group has met in the immediately preceding two (2) years.
- (ii) Identify all interstate compacts that have been fully operational for at least two (2) years to which the state is a party.
- (iii) Consider whether to:
 - (a) remain a party to; or
 - (b) withdraw from; each interstate compact.
- (iv) If the committee determines that the state should withdraw from an interstate compact, identify the steps needed to withdraw.

As used for this topic, "group" refers to an authority, a board, a commission, a committee, a council, a delegate, a foundation, a panel, or a task force that is established by statute, has at least one (1) legislator assigned to it, and is not staffed by the Legislative Services Agency.

(Source: IC 2-5-1.3-13)

(8) PENSION MANAGEMENT OVERSIGHT.

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

(A) Review annual reports concerning status of pension local accounts, contributions, contributions rates, actuarial reports concerning the status of each supplemental allowance reserve accounts, and other financial reports and stress tests (Source: IC 5-10-8.5-20; IC 5-10.2-2-11; IC 5-10.2-12-4; IC 5-10.5-4-1; IC 5-10.5-6-6; IC 5-10.5-6-6.5; IC 10-12-2-12)

(9) PUBLIC HEALTH, BEHAVIORAL HEALTH, AND HUMAN SERVICES.

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

(A) Approval of agreements with private attorneys and private entities when the Child Support Bureau determines that a reasonable contract cannot be entered into with a prosecuting attorney to administer the child support provisions of Title IV-D of the Federal Social Security Act. (Source: IC 31-25-4-13.1)

(10) ROADS AND TRANSPORTATION.

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:

(A) Advise the Bureau of Motor Vehicles regarding the suitability of a special

group to have a special group recognition license plate. (Source: IC 2-5-1.3-13; IC 9-18.5-12-4; IC 9-18.5-12-5)

(B) Review procedures for road renaming resolutions. (Source: Letter submitted by Pressel)

SECTION 5. A subcommittee of the Legislative Council shall carry out the responsibilities assigned to the subcommittee by the Legislative Council, by the Chair and Vice-Chair of the Legislative Council, by law, or by this Resolution. If a subcommittee is assigned a responsibility, the subcommittee shall make a final report with findings and recommendations to the Legislative Council before November 1, 2024, in an electronic format under IC 5-14-6. The following topic is assigned by the Legislative Council:

(1) AUDIT AND FINANCIAL REPORTING SUBCOMMITTEE (IC 2-5-1.1-6.3).

THE SUBCOMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

(A) Oversight of the State Board of Accounts and preservation of the independent status of the State Board of Accounts. (Source: IC 2-5-1.1-6.3; IC 5-11-1-9.3; IC 5-11-1-15; IC 5-11-1-25; IC 5-11-1-27)

SECTION 6. Committees established by statute may meet in 2024 and study topics only in accordance with this Resolution. A committee shall study and make findings and recommendations concerning the following topics to the Legislative Council, and submit a report of its activities to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2024:

(1) ARTIFICIAL INTELLIGENCE TASK FORCE (IC 2-5-53.7; SEA 150 (2024)).

THE COMMISSION IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:

(A) Conduct a study of:

- (i) artificial intelligence technology that has been used, developed, or considered for use by state agencies as reported under IC 4-13.1-5; and
- (ii) recommendations issued by other state, institutional, or academic bodies regarding use of artificial intelligence technology in government. (Source: IC 2-5-53.7-8 (SEA 150 (2024)))

(B) Assess documented and potential:

- (i) benefits and risks to state agencies of state agency use of artificial intelligence technology; and
- (ii) effects of state agency use of artificial intelligence technology on the rights and interests of Indiana residents, including on the:
 - (a) constitutional and legal rights;
 - (b) privacy interests;

- (c) employment; and
- (d) economic welfare;

of Indiana residents. (Source: IC 2-5-53.7-8 (SEA 150 (2024)))

- (C) Develop recommendations, utilizing the best practices outlined by the Data Quality Campaign, to improve the inter-branch and inter-agency collection, delivery, integrity, privacy, security, and usability of government data to achieve greater operational performance and efficiency of government services. (Source: Letter (in part) submitted by Behning, Raatz, and DeLaney)

(2) CODE REVISION COMMITTEE (IC 2-5-1.4).

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:

- (A) Preparation of one (1) or more technical corrections bills to resolve technical conflicts and correct technical errors in statutes.

(Source: IC 2-5-1.4-3; HEA 1026 (2024))

(3) FUNDING INDIANA'S ROADS FOR A STRONGER, SAFER TOMORROW TASK FORCE (HEA 1001, SECTION 302 (2023); SEA 256 (2024)).

THE TASK FORCE IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:

- (A) Review state highway and major bridge needs. (Source: SEA 256 (2024))
- (B) Verify road and bridge needs at the local level. (Source: SEA 256 (2024))
- (C) Develop a long term plan for state highway and major bridge needs that addresses the ten (10) points described in SEA 256 (2024), SECTION 23 and:
 - (i) will achieve the recommended pavement and bridge conditions;
 - (ii) will complete the current statewide priority projects by finishing projects that have been started;
 - (iii) includes Tier 1, 2, and 3 projects; and
 - (iv) using the model developed by the Indiana Department of Transportation, includes sustainable funding mechanisms for the various components of the plan. (Source: SEA 256 (2024))
- (D) Review the long term impact of electric and hybrid vehicles. (Source: SEA 256 (2024))
- (E) Develop a long term plan for local road and bridge needs. (Source: SEA 256 (2024))

(4) HEALTH CARE COST OVERSIGHT TASK FORCE (IC 2-5-47).

THE TASK FORCE IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:

- (A) Oversight of health care costs. (Source: IC 2-5-47-7 (HEA 1004 (2023)); Letter submitted by Garten)

(B) Review corporate practice of medicine. (Source: Letter submitted by Johnson, Charbonneau, and others)

(5) MEDICAID OVERSIGHT COMMITTEE (IC 2-5-54).

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

(A) Review, consider, and make recommendations concerning the Medicaid program. (Source: IC 2-5-54-4; SEA 256 (2024); HEA 1026 (2024); Letter submitted by Mishler, Holdman, and Thompson)

(6) PROBATE CODE STUDY COMMITTEE (IC 2-5-16.1).

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

(A) Needed changes in the probate code (IC 29-1), the trust code (IC 30-4), or any other statute affecting the administration of a decedent's estate, guardianship, probate jurisdiction, trust, or fiduciary. (Source: IC 2-5-16.1-13)

(7) STATE FAIR ADVISORY COMMITTEE (IC 15-13-6-1).

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

(A) The duties set forth in IC 15-13-6-4. (Source: IC 15-13-6-1 (SEA 171 (2023)))

(8) STATE AND LOCAL TAX REVIEW TASK FORCE (SEA 3 (2023)).

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) The following:

- (i) The state's near term and long term financial outlook and overall fiscal position.
- (ii) The state's appropriation backed debt obligations.
- (iii) The funded status of pension funds managed by the state, including methods to reduce the unfunded actuarial accrued liability of the pre-1996 account within the Indiana state teachers' retirement fund.
- (iv) The individual income tax, including methods to reduce or eliminate the individual income tax.
- (v) The corporate income tax.
- (vi) The state gross retail and use tax, including a review of the state gross retail tax base.
- (vii) The property tax, including methods to reduce or eliminate the tax on homestead properties and reduce or eliminate the tax on business personal property.
- (viii) Local option taxes, including the local income tax, food and beverage taxes, and innkeeper's taxes.

- (ix) Changing the qualification requirements for a civil taxing unit to be eligible for a levy increase in excess of limitations under IC 6-1.1-18.5-13(a)(2).
- (x) Requiring certain projects of a political subdivision to be subject to: (a) the petition and remonstrance process under IC 6-1.1-20 if the political subdivision's total debt service tax rate is more than forty cents (\$0.40) per one hundred dollars (\$100) of assessed value, but less than eighty cents (\$0.80) per one hundred dollars (\$100) of assessed value; or (b) the referendum process under IC 6-1.1-20 if the political subdivision's total debt service tax rate is at least eighty cents (\$0.80) per one hundred dollars (\$100) of assessed value.
- (xi) Capping the total amount of operating referendum tax that may be levied by a school corporation.
- (xii) The maximum levy growth quotient formula.
- (xiii) The use of an influence factor or assessed value deduction for assessment of excess residential acreage.
- (xiv) The movement of parcels between allocation areas.
- (xv) The agricultural land base rate formula.
- (xvi) The use of debt by school corporations.(Source: SEA 3 (2023); HEA 1120 (2024); Letter submitted by Mishler, Holdman, and Thompson) (Task force expires June 30, 2025)

SECTION 8. STATUTORY TASK FORCES NOT ASSIGNED TOPIC. No topics are assigned in this Resolution to the following committees:

- (1) GOVERNMENT REFORM TASK FORCE (IC 2-5-53).**
- (2) LAND USE TASK FORCE (IC 2-5-52) (Expires July 1, 2024).**

SECTION 9. DURATION OF THIS RESOLUTION. (a) This Resolution takes effect upon adoption by the Legislative Council.

(b) This Resolution, as amended from time to time, remains in force until specifically repealed or superseded.

(c) This Resolution supersedes Legislative Council Resolution 23-01.